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Attorneys for Defendants
Hachiman, LLC and Palomino Club, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

COURTNEY IMRIE,)	Case No. 2:19-cv-01556
)	
Plaintiff,)	
)	
vs.)	<u>PETITION FOR REMOVAL OF</u>
)	<u>CIVIL ACTION FROM STATE</u>
)	<u>COURT TO FEDERAL COURT</u>
HACHIMAN, LLC, a domestic limited)	
liability company; and, PALOMINO CLUB,)	
LLC, a domestic limited liability company,)	
)	
Defendants.)	
_____)	

Defendants Hachiman, LLC and Palomino Club, LLC (“Defendants”), by and through their counsel of record, the law firm of Kamer Zucker Abbott, give notice to Plaintiff Courtney Imrie, her counsel of record, and the Court of the removal of the above-referenced civil action from the Eighth Judicial District Court, Clark County, Nevada, pursuant to 28 U.S.C. §§ 1441 and 1446. This removal is based upon federal question jurisdiction. See 28 U.S.C. § 1331. In support of this Petition, Defendants allege the following:

1. Defendants are named in a civil action filed on June 22, 2019 in the Eighth Judicial District Court, Clark County, Nevada, Case No. A-19-797245-C, Dept. No. XX, entitled *Courtney Imrie v. Hachiman, LLC, a domestic limited liability company; and, Palomino Club, LLC, a domestic limited*

1 *liability company.*

2 2. A Summons and Complaint were served upon Defendants on Monday August 19,
3 2019. Accordingly, this Petition for Removal has been filed within thirty (30) days of Defendants'
4 first receipt of Plaintiff's Complaint.

5 3. The process, pleadings and orders that have been served upon Defendants consist of
6 the Summons and Complaint, attached hereto as **Exhibits 1 and 2** respectively.

7 4. This Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1331,
8 without regard to citizenship of the parties, as this action contains claims asserting entitlement to
9 damages for a claim arising under federal law over which this Court has original jurisdiction. This
10 Court has removal jurisdiction pursuant to 28 U.S.C. § 1441 because the Court has original
11 jurisdiction over this action, which could have been brought initially before this Court.

12 5. The above-entitled Complaint is a civil action in which Plaintiff asserts a claim for
13 damages, injunctive relief, attorney's fees, interest, and costs for alleged discrimination in violation of
14 the Americans With Disabilities Act of 1990, as amended in January 2009, ("ADA"), 42 U.S.C. §
15 12101 *et seq.*, alleged interference in violation of the ADA, and interference in violation of the Family
16 Medical Leave Act of 1993 ("FMLA"), 29 U.S.C. § 2601 *et seq.* For example, Plaintiff's Complaint
17 specifically alleges that "Defendants' acts constituted discrimination against Plaintiff with respect to
18 her compensation, terms, conditions, or privileges of employment in violation of the Americans
19 with Disabilities Act as amended in January 2009," and "Defendants, and each of them, are liable to
20 Plaintiff for violating her rights under the FMLA." See Complaint at ¶¶ 62, 90.

21 6. Venue in this action properly lies before the United States District Court for the
22 District of Nevada because the claims asserted in this action arose in Las Vegas, Nevada, which is
23 within the District of Nevada.

24 7. The undersigned counsel is the attorney of record for Defendants.

1 Based on the foregoing, Defendants remove this case from the Eighth Judicial District
2 Court, Clark County, Nevada to the United States District Court for the District of Nevada.

3 DATED this 6th day of September, 2019.

4 Respectfully submitted,

5 KAMER ZUCKER ABBOTT

6 By: /s/ R. Todd Creer

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13 Attorneys for Defendants Hachiman, LLC
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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September, 2019, the undersigned employee of Kamer Zucker Abbott served a copy of the foregoing **PETITION FOR REMOVAL OF CIVIL ACTION FROM STATE COURT TO FEDERAL COURT** through the Electronic Case Filing system of the United States District Court, District of Nevada to:

James P. Kemp, Esq.
Victoria L. Neal, Esq.
Kemp and Kemp
7435 West Azure Drive, Suite 110
Las Vegas, Nevada 89130

By: /s/ R. Todd Creer
An employee of Kamer Zucker Abbott